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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.: 09/417,990
Filing Date: October 13, 1999
Inventors: Lovett et al.
Applicant: Microsoft Corporation
Group Art Unit: 2178
Examiner: Queler, A.
Confirmation No.: 8254
Attorney's Docket No.: MS1-383US
Title: Methods and Systems for Processing XML Documents

DECLARATION UNDER 37 C.F.R. §1.131

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "Methods and Systems for Processing XML Documents," as identified above.

The invention was conceived in the United States prior to July 1, 1999, which is prior to the publication date of "XML Authority Ends Waiting Games for Schema Developers", by Dougherty (published 7/1/1999) and XML AuthorityTM by Extensibility Inc, published 8/1/1999.

Attached to this declaration is a redacted copy of a document titled "Push Model XML Parser/Node Factory" that I prepared prior to July 1, 1999. This document provides support for a variety of claimed features, examples of which include parsing (e.g., pages 2-4), converting (e.g., pages 10-13), validating (e.g., pages 7, 14 and 19-20) and constructing (e.g., pages 2, 7, 9, 14 and 19-20). Accordingly, the Dougherty reference should be removed as it is not prior art. Also

attached to this declaration is a redacted copy of a document titled "XML Schema Patent Disclosure" that I prepared prior to July 1, 1999 and submitted to our in-house patent department during the first week of July 1999. These documents evidence that the invention was conceived prior to July 1, 1999, which predate the two publications mentioned above.

I diligently pursued filing the above identified application from prior to July 1, 1999 until the filing of the above identified application on October 13, 1999, including preparation of the disclosure document as described above before July 1, 1999, during discussions of the invention with a patent attorney during a disclosure meeting on July 7, 1999, during preparation and review of the patent application (August, September and October, 1999) and up until the filing of the application on October 13, 1999.

All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of United States Code and that such willful false statement may jeopardize the validity of the application or any patent issued therefrom.

* * * * *

Full name of Inventor:

Christopher J. Lovett

Inventor's Signature:

Christopher J. Lovett Date: 7/19/2005

Residence:

Woodinville, WA

Citizenship: Australia

Post Office Address: 18606 201st Ave NE
Woodinville, WA 98072

Full name of Inventor: Nanshan Zeng

Inventor's Signature:

 Date: 7/18/2005

Residence:

Bellevue, WA

Citizenship: People's Republic of China

Post Office Address: 7029 169th Ave SE
Bellevue, WA 98006